

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

27293

FILE: B-212753**DATE:** January 30, 1984**MATTER OF:** Joule Maintenance Corporation**DIGEST:**

GAO will not consider a protest where the material issues are before a court of competent jurisdiction and the court has not expressed an interest in GAO's decision.

Joule Maintenance Corporation protests the propriety of the Navy's cost comparison conducted under invitation for bids (IFB) No. N62472-83-B-0874. The purpose of the comparison was to determine whether or not to retain in-house shop support functions for public works services at the Aviation Supply Office, Philadelphia, Pennsylvania, or to award a commercial contract for those services. The protester also has filed a suit with the United States Claims Court seeking permanent relief and involving the same issues raised in the protest.

It is this Office's policy not to render a decision where the material issues are pending before a court of competent jurisdiction unless the court expresses an interest in our decision. A.B. Dick Company, B-211119.2, August 8, 1983, 83-2 CPD 178. The court has not expressed such interest.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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